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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,248	01/21/2004	Kia Silverbrook	RRA15US	1575

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

MARTIN, LAURA E

ART UNIT	PAPER NUMBER
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2853

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/760,248

Applicant(s)

SILVERBROOK, KIA

Examiner

Laura E. Martin

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) in view of Silverbrook et al. (US 6443555).

Silverbrook et al. ('513) teaches a printer cartridge for an inkjet printer including: a printing fluid storage (figure 3, element 8); a pagewidth printhead (figure 3, element 4) in fluid communication with the printing fluid storage (figure 4, elements 20a,b,c,d); and a shield (figure 1, element 5) extending the length of the printhead arranged alongside an uncovered printing surface (figure 1, element 4) so as to contact (column 5, lines 26-44), and thereby protect the uncovered printing surface from contact with paper (figure 1, element 2) before the paper leaves the shield so as to pass the printing surface (if the paper is in contact with the shield, then it is before the paper leaves the shield), and further including an elongate body (figure 3, element 25) housing the printing fluid storage.

Silverbrook et al. ('513) does not teach a cradle of an inkjet printer into which the printhead is placed.

Silverbrook et al. ('555) teaches a cradle of an inkjet printer into which the printhead is placed (figure 9, element 56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printhead of Silverbrook et al. ('513) with the disclosure of Silverbrook et al. ('555) in order to create a stable and secure means of stationing the printhead during a print job and allowing for easy replacement of printheads.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) and Silverbrook et al. (US 6443555), and further in view of Silverbrook (6893109).

Silverbrook et al. as modified does not disclose the shield further arranged to act as a cover plate to seal an air duct of the printer cartridge.

Silverbrook discloses the shield acting as a cover plate to seal (figure 7, element 36) an air duct (figure 7, element 41) of the printer cartridge.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Silverbrook et al. with that of Silverbrook in order to protect the printhead from damage.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) in view of Silverbrook et al. (US 6443555) and Silverbrook (6893109).

Silverbrook et al. ('513) discloses a printer cartridge including an elongate body (figure 2) at least one printing fluid storage reservoir (figure 3, element 8) housed within the elongate body; a pagewidth printhead attached to the elongate body (figure 3, element 4) in fluid communication with the at least one printing fluid storage reservoir (figure 4, elements 20 a,b,c,d), and a shield (figure 1, element 5) extending the length of the printhead arranged alongside an uncovered printing surface (figure 1, element 4) so as to contact (column 5, lines 26-44), and thereby protect the printhead from contact with paper (figure 1, element 2) before the paper leaves the shield so as to pass the printing surface (if the paper is in contact with the shield, then it is before the paper leaves the shield).

Silverbrook et al. ('513) does not disclose a printer cradle for insertion of the cartridge or the shield arranged to seal the air duct.

Silverbrook et al. ('555) teaches a cradle of an inkjet printer into which the printhead is placed (figure 1, element 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printhead of Silverbrook et al. with the disclosure of Moore in order to create a stable and secure means of stationing the printhead during a print job and allowing for easy replacement of printheads.

Silverbrook teaches the shield acting as a cover plate to seal (figure 7, element 36) an air duct (figure 7, element 41) of the printer cartridge.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Silverbrook et al. with that of Silverbrook in order to protect the printhead from damage.

Response to Arguments

Applicant's arguments filed 11/13/06 have been fully considered but they are not persuasive. The applicant states that the shield of Silverbrook et al. ('513) extending the length of the printhead is not arranged alongside an uncovered printing surface; however, the examiner disagrees. The shield (element 5 of figure 1) has openings (element 6 of figure 1) to leave the nozzle areas (figure 1, element 4) open to printing. The nozzle shield surrounding these uncovered nozzle areas protects the nozzle areas by not letting the paper make contact with the nozzles before the paper leaves the shield.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2853

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura E. Martin


1/4/07
MANISH S. SHAH
PRIMARY EXAMINER